



General Assembly

January Session, 2007

Committee Bill No. 6674

LCO No. 4569

04569HB06674JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE TRANSFER OF JUDICIAL MARSHALS
TO THE DEPARTMENT OF PUBLIC SAFETY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 6-32d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Except as otherwise agreed between the judicial branch, the
4 Department of Public Safety and the Department of Correction or
5 other appropriate agency, the responsibility for transportation and
6 custody of prisoners shall be assumed as follows:

7 (1) The [judicial branch] Department of Public Safety shall be
8 responsible for the transportation of male prisoners between
9 courthouses and: (A) Community correction centers, until sentencing;
10 (B) other places of confinement after arraignment and until sentencing;
11 and (C) the place of initial confinement, after sentencing. In addition,
12 the [judicial branch] Department of Public Safety shall be responsible
13 for the transportation of adult female prisoners between courthouses
14 and community correction centers, not including the correctional
15 institution at Niantic. If such transportation is in other than state

16 vehicles, the owner of the vehicle used shall be reimbursed by the state
17 at the rate then established for state employees within the Office of
18 Policy and Management.

19 (2) The Department of Correction shall be responsible for the
20 transportation of adult female prisoners between places of
21 confinement and either courthouses or community correction centers,
22 at the discretion of the Commissioner of Correction. In the
23 transportation of prisoners between courthouses and community
24 correctional centers, there shall be complete separation of male and
25 female prisoners.

26 (3) The judicial branch and the Department of Public Safety shall be
27 responsible for the custody of prisoners at courthouses, except that the
28 local police operating any lockup which is designated by the Chief
29 Court Administrator as a courthouse lockup shall be responsible for
30 the custody of prisoners within that lockup. In addition, if such
31 designated lockup is not in the same building as the courthouse
32 serviced by it, the local police operating such designated lockup shall
33 be responsible for escorting prisoners from the lockup to the
34 courthouse. The town in which such a designated lockup is located
35 shall be reimbursed pursuant to section 7-135a.

36 (4) In Hartford County, the Lafayette Street courthouse shall be
37 used as housing for persons arrested by the police department of the
38 city of Hartford and held for presentment at the next session of the
39 court pursuant to the following terms and conditions: (A) No arrestees
40 shall be admitted or released directly to or from the lockup, and no
41 social visits shall be permitted at the lockup; (B) all processing and
42 booking shall be accomplished by the police department of the city of
43 Hartford at its booking facility; (C) after arrival at the lockup and prior
44 to arraignment, the release of any arrestee, with or without bond, shall
45 be accomplished by the police department of the city of Hartford from
46 its booking facility; and (D) the judicial branch shall be responsible for
47 the operation of the lockup at the Lafayette Street courthouse and the

48 Department of Public Safety shall be responsible for the transportation
49 of arrestees prior to arraignment from the booking facility of the police
50 department of the city of Hartford.

51 (b) The [Judicial] Department of Public Safety shall employ judicial
52 marshals for prisoner custody and transportation responsibilities
53 pursuant to this section. The [Chief Court Administrator]
54 Commissioner of Public Safety may establish employment standards
55 and implement appropriate training programs to assure secure
56 prisoner custody and transportation. [Such standards and programs
57 shall be in force and effect by December 1, 2000.] Any property used by
58 [the sheriffs] judicial marshals for prisoner transportation shall be
59 transferred to the [Judicial] Department of Public Safety.

60 (c) The [Judicial] Department of Public Safety may enter into an
61 agreement with state agencies for the management, training or
62 coordination, or any combination thereof, of courthouse security and
63 prisoner custody and transportation functions.

64 Sec. 2. Section 6-32f of the general statutes is repealed and the
65 following is substituted in lieu thereof (*Effective October 1, 2007*):

66 The [Judicial] Department of Public Safety shall be responsible for
67 courthouse security and shall employ judicial marshals for such
68 purpose. The [Chief Court Administrator] Commissioner of Public
69 Safety may establish employment standards and implement
70 appropriate training programs to assure court security. Any property
71 used by [the sheriffs] judicial marshals for court security shall be
72 transferred to the [Judicial] Department of Public Safety. The Chief
73 Court Administrator shall be responsible for the custody, care and
74 control of courthouse facilities. As used in this section, "courthouse
75 security" and "court security" include the provision of security services
76 to any judicial facility or to any facility of a state agency pursuant to a
77 written agreement, provided (1) such facility is located contiguous to a
78 courthouse, and (2) the [Chief Court Administrator] Commissioner of
79 Public Safety determines that, based on the proximity and design of

80 the courthouse and the contiguous facility, the security requirements
81 are mutual and best served through the provision of security services
82 by judicial marshals.

83 Sec. 3. Section 6-32g of the general statutes is repealed and the
84 following is substituted in lieu thereof (*Effective October 1, 2007*):

85 [After December 1, 2000, the Chief Court Administrator] The
86 Commissioner of Public Safety shall require an applicant for
87 employment as a judicial marshal pursuant to sections 6-32d, as
88 amended by this act, and 6-32f, as amended by this act, to submit to a
89 criminal record background investigation, to be conducted by the
90 Department of Public Safety and the Federal Bureau of Investigation.
91 The applicant shall pay all processing fees incurred for such
92 investigation.

93 Sec. 4. Section 6-32h of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective October 1, 2007*):

95 The Chief Court Administrator and the Commissioner of Public
96 Safety shall employ, within available appropriations for such purpose,
97 such staff as [are] they determine to be necessary to support the
98 transferred functions of the county sheriff system. [The Chief Court
99 Administrator shall first offer such employment to qualified persons
100 employed in the administration of the county sheriff system on July 1,
101 2000.]

102 Sec. 5. Section 6-38i of the general statutes is repealed and the
103 following is substituted in lieu thereof (*Effective October 1, 2007*):

104 All special deputy sheriffs serving on December 1, 2000, as prisoner
105 custody and transportation personnel and as court security personnel
106 and all deputy sheriffs serving on December 1, 2000, as prisoner
107 custody or transportation personnel and as court security personnel
108 who elect to continue to perform such functions under section 6-38f, as
109 amended by this act, shall continue to provide such prisoner custody,

110 transportation or court security services [after December 1, 2000,] as
 111 judicial marshals and shall be employees of the [Judicial] Department
 112 of Public Safety. The [Judicial] Department of Public Safety shall
 113 recognize the bargaining unit of special deputy sheriffs for the purpose
 114 of collective bargaining with judicial marshals.

115 Sec. 6. Subsection (b) of section 51-47 of the general statutes is
 116 repealed and the following is substituted in lieu thereof (*Effective*
 117 *October 1, 2007*):

118 (b) In addition to the salary such judge is entitled to receive under
 119 subsection (a) of this section, a judge designated as the administrative
 120 judge of the appellate system shall receive one thousand dollars in
 121 annual salary, each Superior Court judge designated as the
 122 administrative judge of a judicial district shall receive one thousand
 123 dollars in annual salary and each Superior Court judge designated as
 124 the chief administrative judge for facilities, administrative appeals [,
 125 judicial marshal service] or judge trial referees or for the Family,
 126 Juvenile, Criminal or Civil Division of the Superior Court shall receive
 127 one thousand dollars in annual salary.

128 Sec. 7. (NEW) (*Effective October 1, 2007*) Each judicial marshal
 129 employed by the Judicial Department and providing court security
 130 services or prisoner custody and transportation services on the
 131 effective date of this section shall be transferred to the Department of
 132 Public Safety in accordance with the provisions of section 4-38d of the
 133 general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	6-32d
Sec. 2	<i>October 1, 2007</i>	6-32f
Sec. 3	<i>October 1, 2007</i>	6-32g
Sec. 4	<i>October 1, 2007</i>	6-32h
Sec. 5	<i>October 1, 2007</i>	6-38i
Sec. 6	<i>October 1, 2007</i>	51-47(b)

Sec. 7	October 1, 2007	New section
--------	-----------------	-------------

Statement of Purpose:

To provide that judicial marshals responsible for courthouse security and prisoner custody and transportation shall be employees of the Department of Public Safety.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. BARRY, 12th Dist.

H.B. 6674